



EXECUTIVE ORDER NO. 007-2021

EXECUTIVE ORDER RELATED TO NAVAJO NATION STATE OF EMERGENCY; MANDATING COVID-19 VACCINATIONS FOR NAVAJO NATION EMPLOYEES

**NAVAJO NATION OFFICE OF THE PRESIDENT AND VICE PRESIDENT
AUGUST 20, 2021**

WHEREAS:

1. The President of the Navajo Nation serves as the Chief Executive Officer for the Executive Branch of the Navajo Nation government with full authority to conduct, supervise, and coordinate personnel and program matters. 2.N.N.C. §1005 (A);
2. The President shall have the power to issue an executive order for the purpose of interpreting, implementing or giving administrative effect to statutes of the Navajo Nation in the manner set forth in such statutes. 2.N.N.C. §1005 (C)(14);
3. With the concurrence of the President of the Navajo Nation, the Emergency Management Commission shall have the power to declare a state of emergency affecting the Navajo Nation and to obtain, coordinate and oversee assistance, whether in the form of goods, services, equipment, motor vehicles, or personnel, from all Divisions, Departments and Enterprises of the Navajo Nation for use in addressing the requirements of the People in any declared emergency. 2 N.N.C. § 884(B)(1)(3);
4. The Emergency Management Commission declared an emergency due to the confirmation of the coronavirus disease (COVID-19) in regional areas surrounding the Navajo Nation. 2 N.N.C. § 884(B)(1), *See* Emergency Management Commission resolutions CEM 20-03-11;
5. The Navajo Nation President shall have full authority to conduct, supervise, and coordinate personnel and programs of the Navajo Nation, 2 N.N.C. § 1005(A);
6. An Executive Order shall have the force of law upon the recipient. 2 N.N.C. § 1005(C)(14).

THEREFORE:

I, Jonathan Nez, President of the Navajo Nation, by the authority vested in the President of the Navajo Nation, hereby issue the following order:

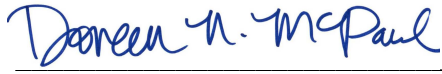
1. The declared state of emergency for the Navajo Nation, CEM 20-03-11, remains in place;
2. The U.S. Food and Drug Administration (FDA) has approved emergency use authorizations (EUAs) for Pfizer-BioNTech and Moderna COVID-19 vaccines consisting of a two-dose series. Most recently, an additional dose of Pfizer and Moderna COVID-19 vaccine was approved for certain immunocompromised individuals. Another vaccine recently approved by the FDA is the Janssen COVID-19 vaccine by Johnson & Johnson. These FDA-approved EUAs for COVID-19 vaccines are proven help to slow or the spread of COVID-19 and also lessen the severity of COVID-19 symptoms;
3. All Navajo Nation employees, within the Navajo Nation Branches, Divisions, Departments, programs, offices, Chapters, and Enterprises, are mandated to be fully vaccinated against COVID-19 **by September 29, 2021.**
 - a. Employees, regular, part-time, and temporary, must provide proof of COVID-19 vaccination to their immediate supervisor on or before September 29, 2021. An employee who fails to provide proof of vaccination, as required, is considered to be unvaccinated and subject to the requirements below.
 - b. Employees who remain unvaccinated, for any reason, after September 29, 2021 shall provide a negative COVID-19 test result from a medical provider to their immediate supervisor on or before September 29, 2021. Additionally, such employees shall thereafter submit a negative COVID-19 test result at least once every fourteen (14) days.
 - c. Employees who fail to provide negative COVID-19 test results as required may be subject to discipline consistent with the Navajo Preference in Employment Act and the applicable personnel policy manual;
4. The Navajo Department of Health, Department of Personnel Management, or applicable personnel department are authorized to issue further guidance to implement the vaccine requirements set out herein;
5. Navajo Nation employees shall continue to follow the orders set in the Declaration of a State of Emergency by the Emergency Management Commission, CEM 20-03-11, and Public Health Emergency Orders (*see* www.ndoh.navajo-nsn.gov/COVID-19), and Work Site Safety Guidelines (*see* <https://www.navajoreopening.navajo-nsn.gov/Executive-Branch-Guidelines>).

The provisions of this order shall be implemented consistent with the laws of the Navajo Nation and in a manner that advances the highest welfare of the People.

EXECUTED this 20th day of August 2021



Jonathan Nez, *President*
THE NAVAJO NATION

ATTEST: 

Doreen N. McPaul, *Attorney General*
Navajo Nation Department of Justice